

United States District Court
STATE AND DISTRICT OF MINNESOTA**RECEIVED**

MAY 26 2010

CLERK, U.S. DISTRICT COURT
ST. PAUL, MINNESOTA

UNITED STATES OF AMERICA

V.

JOAQUIN BRAVO FLORES

CRIMINAL COMPLAINT

Case Number:

10-MJ-206 (JJG)

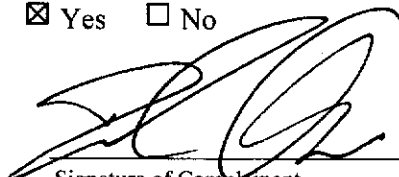
I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about On May 13, 2010, in Hennepin County, in the State and District of Minnesota, the defendant, an alien illegally and unlawfully in the United States, did knowingly possess in and affecting interstate commerce a firearm, namely, an Intratec, Model Tec 22, .22 caliber, semi automatic pistol, serial number C85385,

in violation of Title 18, United States Code, Section(s) 922(g)(5)(A).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Signature of Complainant

Dale W. Ouse

BICE

Sworn to before me, and subscribed in my presence,

5/25/10

Date

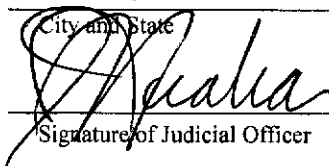
The Honorable Jeanne J. Graham
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

at

St. Paul, MN

City and State



Signature of Judicial Officer

SCANNED

MAY 26 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF DALE W. OUSE
COUNTY OF HENNEPIN)

1. I am a Special Agent with United States Department of Homeland Security Immigration and Customs Enforcement ("ICE") and have been so employed since July, 2009. In this capacity, my duties and responsibilities include overseeing the enforcement of laws relating to immigration and firearms. Prior to working as a Special Agent, between July 2002 and July 2009, your affiant was a Federal Air Marshal for the United States Federal Air Marshal Service. From April 2001 to July 2002, your affiant was a United States Border Patrol Agent with the United States Border Patrol. Also, from April 1996 to April 2001, your affiant was a licensed police officer in the city of Grand Forks, ND. Further, your affiant has a bachelor's degree in criminal justice from Moorhead State University. During my law enforcement career, your affiant has conducted numerous investigations into immigration law violations along with the unlawful possession of firearms by prohibited people.

2. This Affidavit is for the purpose of establishing probable cause in support of the attached complaint and warrant and therefore contains only a summary of the relevant facts. I have not included each and every fact known by me concerning the individual and events described herein. The information contained in this Affidavit is based on my firsthand knowledge and information provided by other law enforcement officers and witnesses.

3. On May 13, 2010, the Minneapolis Police Department (MPD) and other law enforcement authorities executed a search warrant at 2929 Columbus Avenue South, Apartment #1, Minneapolis, Minnesota. Joaquin BRAVO FLORES, DOB: March 22, 1985, was found in the apartment with three other adults and two small children. Under the mattress in BRAVO FLORES' bedroom, officers found an Intratec, Model Tec 22, .22 caliber, semi automatic pistol, serial number C85385, a fifty (50) round magazine loaded with 40 rounds, and a box of .22 caliber bullets. Officers also recovered approximately five (5) pounds of marijuana, individually packaged in smaller increments and a small amount of methamphetamine and cocaine. BRAVO FLORES was arrested for possession of a firearm along with possession of marijuana, cocaine, and methamphetamine.

4. A review of immigration records and fingerprint comparisons revealed that BRAVO FLORES is a citizen and national of Mexico who makes no claim to United States citizenship or lawful permanent residence status in the United States. Immigration records also indicated that BRAVO FLORES had previously voluntarily returned to Mexico on January 14, 2000, January 16, 2000, November 5, 2003, November 7, 2003, and again on November 8, 2003, after illegally crossing the International Boundary between Mexico and the United States.

5. Further review of immigration records revealed that, since BRAVO FLORES' last voluntary removal on November 8, 2003, BRAVO FLORES has not applied for, nor received permission to enter


the United States from the Attorney General, the Secretary of the Department of Homeland Security, or any other designated representatives.

6. On May 17, 2010, during an interview, under the scope of Miranda, BRAVO FLORES admitted that the Intratec, Model Tec 22, .22 caliber, semi automatic pistol, serial number C85385, seized during the execution of the search warrant was in his possession.

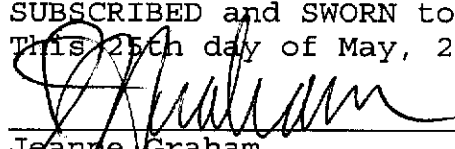
7. On May 19, 2010, an interstate nexus expert from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) determined that the Intratec, Model Tec 22, .22 caliber, semi automatic pistol, serial number C85385, recovered during the execution of the search warrant was manufactured outside the state of Minnesota and therefore traveled in or through interstate or foreign commerce as defined in Title 18, United States Code, Section 921(a)(2).

8. Based on training, experience and from the information developed above, your affiant believes that BRAVO FLORES, has violated Title 18, United States Code, Section 922(g)(5)(A), in that he possessed a firearm while being unlawfully present in the United States.

Further Your Affiant Sayeth Not.


Dale W. Ouse
SPECIAL AGENT, ICE

SUBSCRIBED and SWORN to Before Me
This 25th day of May, 2010


Jeanne Graham
United States Magistrate Judge